

Legal status of a minor in civil proceedings

The diploma thesis describes different stages and types of civil proceedings in their relation to the legal position of a minor (person under the age of 18). Legal position of a minor is assessed mainly in relation to his mental capacity and to the procedural rights to which the minor is entitled. The thesis approaches all of the civil proceedings from the point of view of a minor and points out all proceedings in which the minor can find himself to be a witness or a party. The main focus is given to the proceedings governed by the Act no. 292/2013 Coll., Code on Special Court Proceedings. A detailed description of the proceedings regarding interim relief, the court proceedings itself as well as the execution of a court decision is given.

Furthermore, the implementation of the UN Convention on the Rights of the Child into the Czech civil proceedings was assessed. The main focus of this assessment was given to the best interest principle and to the child's right to be heard in matters directly affecting him. Each proceeding is also analysed from the point of the public authorities and other parties involved. In particular, the thesis assessed the position of the court (judge), of the child care services and the legal guardians of the minor. The main goal of the diploma thesis is to evaluate the efficiency of current proceedings and to suggest a possible alternative.